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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09 - 01195 EJD
	)	
Plaintiff,	)	STIPULATION AND
	)	<del>PROPOSED</del> ORDER
v.	)	
	)	
RODNEY HATFIELD, et al.,	)	
	)	
Defendants.	)	

WHEREAS, the Court has already set a trial date in this matter, March 11, 2013, and has already excluded time up and including March 11, 2013, but had set an interim status date on July 2, 2012, to accommodate a potential change of plea or any other matters that the parties wished to address to the Court in advance of the pre-trial conference;

WHEREAS, counsel for the United States recently completed a multi-week jury trial in this District, such that the parties have not been able to meet to continue, and potentially complete, their respective discussions regarding a disposition of this matter as to one or both defendants;

WHEREAS, counsel for the parties jointly agree and stipulate that a continuance of this matter is appropriate given the and the need for complexity, effective preparation of counsel, and

unavailability of one of the defense counsel, and where the next available date where all counsel are available is August 27, 2012, such that there is a need for a continuance to such date based on continuity of counsel, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv);

THEREFORE, the parties mutually and jointly stipulate that the matter should be continued, based on the complexity of this case, the need for effective preparation of counsel, unavailability of one defense counsel, and the need for continuity of counsel, and the parties jointly request that the Court continue the matter until **Monday, August 27, 2012, at 1:30 p.m.**

**STIPULATED:**

DATED: June 27, 2012

/s/  
MICHAEL ARMSTRONG  
Attorney for RODNEY HATFIELD

DATED: June 27, 2012

/s/  
VARELL L. FULLER  
Assistant Federal Public Defender  
Attorney for LLOYD MYERS

DATED: June 27, 2012


/s/  
TIMOTHY J. LUCEY  
Assistant United States Attorney

**ORDER**

For good cause shown, the Court continues the matter until **Monday, August 27, 2012, at 1:30 p.m.** The Court has already excluded time up and including the date of trial, March 11, 2013.

**IT IS SO ORDERED.**

DATED: 6/28/2012

  
HON. EDWARD J. DAVILA  
United States District Judge